

Table C-1
Total Industry Compensation and Benefit Payments Under LHWCA 1/
CY 1986 - CY 1995 2/
(\$ thousands)

Payments By:	Calendar Year									
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995
Self-Insured Employers	\$143,801	\$172,518	\$204,281	\$211,148	\$244,274	\$256,003	\$267,078	\$265,700	\$273,667	\$257,895
Insurance Carriers	210,466	205,526	207,553	206,549	238,264	243,120	235,251	240,449	247,157	238,474
Total Payments	\$354,267	\$378,044	\$411,834	\$417,697	\$482,538	\$499,123	\$502,329	\$506,149	\$520,824	\$496,369

1/ Includes disability compensation and medical benefit payments under LHWCA, DCCA, and all other extensions to the Act.

2/ Industry payments are reported to the Department of Labor on a calendar year basis.

Table C-2
National Average Weekly Wage (NAWW) and Corresponding Maximum
and Minimum Compensation Rates and Annual Adjustments Pursuant
to Sections 6(b), 9(e), and 10(f) of LHWCA

Period	NAWW	Maximum Payable	Minimum Payable	Annual Adjustment (% Increase in NAWW)
11/26/72-9/30/73	\$131.80	\$167.00	\$65.90	--
10/01/73-9/30/74	140.26	210.54	70.18	6.49
10/01/74-9/30/75	149.10	261.00	74.57	6.26
10/01/75-9/30/76	159.20	318.38	79.60	6.74
10/01/76-9/30/77	171.28	342.54	85.64	7.59
10/01/77-9/30/78	183.61	367.22	91.81	7.21
10/01/78-9/30/79	198.39	396.78	99.20	8.05
10/01/79-9/30/80	213.13	426.26	106.57	7.43
10/01/80-9/30/81	228.12	456.24	114.06	7.03
10/01/81-9/30/82	248.35	496.70	124.18	8.87
10/01/82-9/30/83	262.35	524.70	131.18	5.64
10/01/83-9/30/84	274.17	548.34 1/	137.09	4.51
10/01/84-9/30/85	289.83	579.66	144.92	5.71 2/
10/01/85-9/30/86	297.62	595.24	148.81	2.69
10/01/86-9/30/87	302.66	605.32	151.33	1.69
10/01/87-9/30/88	308.48	616.96	154.24	1.92
10/01/88-9/30/89	318.12	636.24	159.06	3.13
10/01/89-9/30/90	330.31	660.62	165.16	3.83
10/01/90-9/30/91	341.07	682.14	170.54	3.26
10/01/91-9/30/92	349.98	699.96	174.99	2.61
10/01/92-9/30/93	360.57	721.14	180.29	3.03
10/01/93-9/30/94	369.15	738.30	184.58	2.38
10/01/94-9/30/95	380.46	760.92	190.23	3.06
10/01/95-9/30/96	391.22	782.44	195.61	2.83

1/ Maximum became applicable in death cases (for any death after September 28, 1984) pursuant to LHWCA Amendments of 1984. Section 9(e)(1) provides that the total weekly death benefits shall not exceed the lesser of the average weekly wages of the deceased or the benefits which the deceased would have been eligible to receive under section 6(b)(1). Maximum in death cases not applicable to DCCA cases (Keener v. Washington Metropolitan Area Transit Authority, 800 F.2d 1173 (D.C. Cir. (1986)).

2/ Five percent statutory maximum increase applicable in FY 1985 under section 10(f) of LHWCA, as amended. Maximum increase not applicable to DCCA cases (see note 1/, above).

Table C-3
LHWCA and DCCA Special Funds' Expenditures 1/
FY 1987 – FY 1996
(\$ thousands)

FY	LHWCA						DCCA					
	Expenditures (\$)					Number of Second Injury Cases	Expenditures (\$)					Number of Second Injury Cases
	Total	Second Injury Cases 2/	Pre Amend. Cases 3/	Rehab. 4/	Other 5/		Total	Second Injury Cases 2/	Pre Amend. Cases 3/	Rehab. 4/	Other 5/	
1987	\$59,448	\$51,774	\$3,304	\$3,154	\$1,216	3,264	\$11,551	\$10,402	\$975	\$84	\$90	666
1988	64,309	54,687	3,083	3,519	3,020	3,436	10,762	9,353	915	35	459	696
1989	72,785	62,304	3,227	3,583	3,671	3,692	12,043	10,168	903	38	934	713
1990	80,797	71,589	3,073	4,267	1,868	3,953	12,332	10,939	932	12	449	713
1991	89,505	78,407	3,117	4,285	3,696	4,266	11,569	10,278	981	12	298	706
1992	97,331	86,312	2,937	4,392	3,690	4,515	11,683	10,161	922	6	594	700
1993	103,321	90,860	2,887	4,804	4,770	4,652	11,330	9,984	903	6	437	698
1994	107,611	95,856	2,829	4,228	4,699	4,842	11,382	10,318	872	0	193	683
1995	116,656	104,317	2,738	4,328	5,272	5,023	11,435	10,284	845	0	305	641
1996	118,260	106,536	2,627	4,110	4,987	5,126	11,868	10,266	819	0	783	659

1/ Special Fund expenditures shown in this table are reported on a cash basis, i.e., expenses are recognized when paid.

2/ Section 8(f) payments to employees who sustain second injuries which, superimposed on a pre-existing injury, results in the employee's permanent disability or death.

3/ Section 10(h) of the Act requires that compensation payments to permanent total disability and death cases, when the injury or death is caused by an employment event which occurred prior to enactment of the 1972 amendments, be adjusted to conform with the weekly wage computation methods and compensation rates put into effect by the 1972 amendments. Fifty percent of any additional compensation or death benefit paid as a result of these adjustments are to be paid out of the Special Fund accounts.

4/ In cases where vocational or medical rehabilitation services for permanently disabled employees are not available otherwise, and for maintenance allowances for employees undergoing vocational rehabilitation, sections 39(c) and 8(g) of the Act authorize the cost of these services to be paid by the Special Fund.

5/ For cases where impartial medical exams or reviews are ordered by the Department of Labor (section 7(e) of Act) and where a compensation award cannot be paid due to employer default (section 18(b)), the expenses or payments resulting from these actions may be covered by the Special Fund. Also included as "Other" expenditures of the Funds are disbursements under section 14(f) to distribute late compensation penalties in FY 1987 and expenditures under section 44(d) to refund assessment overpayments in FY 1987 – FY 1989, FY 1991 – FY 1993, and FY 1995 – FY 1996. Excluded are disbursements from proceeds of employer securities redeemed under section 32 of the Act. These monies are exclusively for payment of compensation and medical benefits to employees of companies in default.

Note: Special Fund expenditure totals for some years as shown above may differ from those reported to Congress in the Appendix to the President's budget. The figures here are from year-end Status of Funds reports while the President's budget reflects total outlays as reported to the Department of Treasury and may include technical adjustments made by Treasury or the Office of Management and Budget.

Table C-4
LHWCA and DCCA Special Funds' Assessments 1/
CY 1987 - CY 1996
(\$ thousands)

CY	LHWCA			DCCA		
	Total Industry Assessments 2/	Preceding Year Total Industry Payments 3/ 4/	Assessment Base Yr.	Total Industry Assessments 2/	Preceding Year Total Industry Payments	Assessment Base Yr.
1987	\$59,500	\$246,519	CY 1986	\$11,274	\$21,776	CY 1986
1988	66,118	257,621	CY 1987	6,505	20,326	CY 1987
1989	75,989	290,538	CY 1988	12,943	15,232	CY 1988
1990	91,969	294,873	CY 1989	11,297	11,766	CY 1989
1991	94,500	331,004	CY 1990	10,400	11,592	CY 1990
1992	97,300	340,141	CY 1991	10,800	9,097	CY 1991
1993	102,500	336,379	CY 1992	11,500	7,665	CY 1992
1994	116,000	346,490	CY 1993	11,500	9,970	CY 1993
1995	118,000	360,566	CY 1994	12,000	6,787	CY 1994
1996	113,000	344,103	CY 1995	11,300	6,754	CY 1995

1/ Annual assessments of employers and insurance carriers are the largest single source of receipts to the Special Funds. Other receipts to the Funds include fines and penalties, payments for death cases where there is no person entitled under the Act to the benefit payments, interest earned on Fund investments, overpayment and third party recoveries, and monies received from redemption of securities under section 32 of the Act to pay compensation due employees of companies in default. These payments constitute a small portion of the total receipts of the Special Funds.

2/ Assessments as shown here are not receipts to the Fund which were received during a given calendar year, but total assessments which are receivable from employers and insurance carriers based on the Special Fund assessment formula as prescribed under section 44(c) of the Act.

3/ Assessments prior to CY 1985 were based on each employer's or insurance carrier's total disability compensation and medical benefit payments under the Act during the preceding calendar year. Beginning with CY 1985, the assessment base also includes a factor for section 8(f) payments attributable to each employer/carrier, as required by the 1984 amendments.

4/ Starting with CY 1986, industry assessments are based on disability compensation payments only, i.e., medical benefits are no longer included in the payment base used in determining annual assessments.

Table C-5
Summary of Case Processing Activities Under LHWCA 1/
FY 1987 - FY 1996

Adjudication Level and Case Status	Fiscal Year									
	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996
District Offices										
Pending Inventory of Cases	10,603	6,105	7,184	7,066	7,324	6,957	5,309	5,720	5,401	6,207
OALJ										
Carryover from Previous FY	2,954	3,378	3,634 2/	3,985	3,906	3,571	4,040	7,197	3,957	4,141 4/
New Cases	3,306	4,224	4,096	3,739	3,527	4,149	6,911 3/	3,878	3,324	4,107
Total Docket	6,260	7,602	7,730	7,724	7,433	7,720	10,951	11,075	7,281	8,248
(Dispositions)	2,882	3,359	3,745	3,818	3,862	3,680	3,754	7,118	3,527	3,339
Pending Inventory	3,378	4,243	3,985	3,906	3,571	4,040	7,197	3,957	3,754	4,909
BRB 5/										
Carryover from Previous FY	1,492	1,389	1,297	1,388	1,529	1,667	1,786 6/	1,781	3,745	1,661 10/
New Cases	489	578	862	806	765	835	782	2,772 7/	885	481
Total Docket	1,981	1,967	2,159	2,194	2,294	2,502	2,568	4,553	4,630	2,142
(Dispositions)	592	670	771	665	627	742	683	800	1,397	1,721 10/
Pending Inventory	1,389	1,297	1,388	1,529	1,667	1,760	1,781	3,745 8/	3,250 9/	399 11/

1/ For FY 1987 and earlier, includes cases under both LHWCA and DCCA. Beginning in FY 1988, DCCA cases are excluded from DLHWC's District Offices' inventory as administration of these cases was delegated to the District of Columbia government effective July 18, 1988. Case processing and adjudication activities at the OALJ and BRB levels continue to include both LHWCA and DCCA cases.

2/ The difference between the carryover figure in FY 1989 and the pending inventory level at the end of FY 1988 for OALJ reflects the results of a cleanup of pending cases. The end-of-year pending inventory in FY 1988 (budget workload number) was compared against the OALJ automated case tracking system and as a result some cases that were previously classified as pending were closed. The FY 1989 beginning inventory or carryover was revised to reflect the actual workload numbers.

3/ Includes 3,093 cases received on the basis of the Supreme Court's decision in Estate of Cowart v. Nicklos Drilling Co., 112 S.Ct. 2589 (1992).

4/ The difference between the carryover in FY 1996 and pending inventory at the end of FY 1995 is due to data adjustments made by the OALJ.

5/ BRB activity data for FY 1987-FY 1988 may differ from levels shown in Congressional Budget submissions and other sources due to cases that have been reinstated from prior fiscal years.

6/ The differences between the carryover in FY 1993 and pending inventory at the end of FY 1992 and between the sum of activity in FY 1993 and that year's pending inventory at year-end are due to data adjustments made by the BRB.

7/ Includes 2,066 appeals filed in the so-called Ingalls Shipbuilding, Inc. cases, and involve various issues arising under section 33 of LHWCA.

8/ This figure, as adjusted by BRB, excludes 8 cases previously classified as new appeals.

9/ Data adjustments by the BRB account for the difference between the sum of activity in FY 1995 and that year's pending inventory at year-end.

10/ 3,250 total appeals were carried over, but figures were adjusted by BRB to take into account 1,636 separate appeals which were consolidated and disposed of by 5 decisions.

11/ Number adjusted by BRB to account for misfiled, duplicate, or reinstated appeals.